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ROUTING AND RECORD SHEET

SUBJECT: (Optional)

FROM:

Acting Legislative Counsel

EXTENSION

6121

NO.

DATE 25 October 1974

TO: (Officer designation, room number, and building)

DATE

RECEIVED

FORWARDED

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

STAT

1. Director

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The attached joint committee resolution was drafted in the aftermath of the [redacted] revelation. It deals solely with covert action, focuses on the political problem involved, and does not effect a change in existing legislative jurisdiction. It provides a mechanism for the Congress to accept responsibility through its political leadership for determining which standing committees have legitimate legislative interest and for authorizing the passing of appropriate information to the chairman and ranking minority member of such a committee. Consistent with this political concept, the responsibility for informing the joint committee is placed upon the Executive Branch with the idea that CIA would be the agency for communication. Messrs. Cary and Warner endorsed this approach and the proposition was put on the shelf until it might be timely for you to consider it, and I gather that time has now arrived. It is being sent to the DDO for his review so that you can benefit from his reaction.

Lyle L. Miller
Acting Legislative Counsel
cc: DDO, OGC

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OLC 74-2148
1 October 1974

MEMORANDUM FOR THE RECORD

SUBJECT: Draft Joint Committee Resolution

1. Attached is a "joint committee" resolution drafted at the request of the Director, in light of the current covert action issue which is prompting renewed interest in a joint committee.

2. (a) Name

The name of the special committee is taken from the description of covert action in the President's press conference of 16 September 1974.

(b) Jurisdiction

Unlike the usual proposals, the attached joint committee resolution, in not providing legislative and oversight jurisdiction, would have minimum impact on the existing committee structure.

(c) Purpose and Functions

1. To get at the political and coordinate branch of Government problem by assuring that the bipartisan leadership of the Senate and House are informed of covert actions.

2. The responsibility--by majority vote--for informing the chairman and ranking minority member of those standing committees in both houses having a vested legislative interest in the information is left with them.

(d) Security

The joint committee is granted authority to issue specific rules and instructions to protect information which take precedence over any other rules of the Congress, except those as apply to Restricted Data.

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(e) Reporting

The onus is placed upon the Executive branch (not solely CIA) to keep the joint committee fully and currently informed with respect to covert action. This is consistent with the desirability of not focusing exclusively on CIA, which in turn raises among other things, committee jurisdiction problems.

(f) Form

The proposal is drafted in the form of a joint resolution since the approval of the President should be contemplated in view of the requirements of (e) above.



Deputy Legislative Counsel

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Attachment: As stated

Distribution:

Orig^g - Subject
1 - OGC
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OLC:LLM:cg (2 Oct 74)

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93d CONGRESS
2nd Session

S. J. RES.

IN THE SENATE OF THE UNITED STATES

Mr. submitted the following joint resolution; which was
referred to the Committee on Rules

JOINT RESOLUTION

To establish a Joint Committee on Special Intelligence Activities to
Help Implement Foreign Policy and Protect National Security

1 Resolved by the Senate (the House of Representatives
2 concurring), That (a) there is hereby established a joint congress-
3 sional committee to be known as the Joint Committee on Special
4 Intelligence Activities to Help Implement Foreign Policy and
5 Protect National Security (referred to in this concurrent resolution
6 as the "joint committee"), to be composed of the President Pro
7 Tempore of the Senate, the Majority Leader of the Senate, the
8 Minority Floor Leader of the Senate, the Speaker of the House
9 of Representatives, the Majority Leader of the House of
10 Representatives, and the Minority Leader of the House of
11 Representatives.

1 (b) The joint committee is authorized to utilize the
2 services, information, facilities, and personnel of the
3 executive departments and establishments of the United States.

4 (c) The joint committee is authorized to classify
5 information originating within the joint committee in accordance
6 with standards used generally by the executive branch of the
7 Federal Government for classifying information relating to the
8 national security of the United States, including information
9 relating to intelligence sources and methods.

10 (d) The joint committee shall keep a complete record
11 of all information it receives pursuant to section 2, all
12 committee records, data, charts and files shall be the property
13 of the joint committee and shall be kept in the office of the joint
14 committee, or such other places as the joint committee may
15 direct, under such security safeguards as the joint committee
16 shall determine to be in the interest of national security.

17 (e) The joint committee may make such rules respecting
18 its organization and procedures as it deems advisable, but no
19 action shall be undertaken by the joint committee unless a
20 majority of the members thereof assent.

1 SEC. 2. The executive branch shall keep the joint
2 committee fully and currently informed with respect to special
3 intelligence activities to help implement foreign policy and
4 protect national security undertaken abroad to influence the
5 actions of other governments, including but not limited to actions
6 to be undertaken by the Central Intelligence Agency under section
7 102(d)(5) of the National Security Act of 1947, as amended.

8 SEC. 3. The joint committee shall appropriately inform
9 the Chairmen and Ranking Minority member of those standing
10 committees of the Senate and House of Representatives which, in
11 the opinion of the joint committee, have a vested legislative interest
12 in the information reported pursuant to section 2. Information
13 furnished pursuant to this section shall be subject to specific rules
14 and instructions regarding protection and further dissemination as
15 established by the joint committee pursuant to section 1, which
16 shall take precedent over any other rules or instructions of the
17 Senate or the House of Representatives, except for those of the
18 Joint Committee on Atomic Energy, with which they may come
19 in conflict.

20 SEC. 4. The expenses of the joint committee shall be paid
21 from the contingent fund of the Senate.